

REMARKS

Claims 1-10, 13, 15 and 16 are all the claims pending in the application. Claim 11 has been cancelled without prejudice or disclaimer.

Claim Rejections

Claims 8, 13 and 15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Seto (U.S. Patent No. 5,156,387). Applicants respectfully traverse this rejection in view of the following arguments.

Claim 8 sets forth that a surface of the skirt portion is configured so that during a suction adherence operation it closely corresponds with the protective sheet and is substantially parallel to the suction-adherence surface of the main body portion. For example, the non-limiting embodiment shown in Fig. 9 shows a skirt 44 configured as claimed, such that the surface 48 of the skirt is substantially parallel to the surface of interleaf sheet 13.

In contrast, while the alleged Seto suction adherence surface 102b is flat and horizontal, the alleged Seto suction skirt 104 is wavy (*see* Fig. 4 and column 4, lines 44-51). Despite the Seto disclosure of a wavy suction skirt 104 and a flat suction adherence surface 102b, the Examiner maintains that the surface of the suction skirt 104 and the surface 102b are still substantially parallel. Particularly, the Examiner asserts that the deformation of the Seto skirt would not change the orientation of the skirt such that is not “substantially” parallel. The Examiner also relies on Fig. 4 of Seto in asserting that the skirt portion 104 is substantially horizontal and therefore is substantially parallel to the horizontal surface 102b.

Applicants disagree that Seto teaches a skirt portion 104 that is substantially parallel to a suction adherence surface 102b. Seto states that “the uppermost photographic film 14 is also deformed into a wavy shape and pressed against the suction skirt 104.” (*see* column 4, lines 49-51). Therefore, Seto specifically teaches that the suction skirt 104 surface which corresponds with photographic film is configured to be wavy.

Applicants also disagree that Fig. 4 of Seto teaches that that suction skirt 104 is substantially horizontal. As described in the specification, Fig. 4 illustrates that the surface of the suction skirt 104 which contacts the film 14 is wavy, not flat. Although “substantially” parallel encompasses more than exactly parallel, Seto teaches one flat surface and a wavy surface. The wavy surface taught by Seto cannot fairly be considered as substantially parallel to the flat suction adherence surface 102b. There is no teaching that these two surfaces correspond closely enough to be considered even substantially parallel. Additionally, by describing the surface as wavy, Seto distinguishes the surface of the suction skirt 104 from a flat surface, and therefore it cannot fairly be considered substantially horizontal and flat so as to be substantially parallel to flat surface 102b.

Furthermore, Seto fails to teach that the references are drawn to scale. When a reference does not disclose that a drawing is to scale, arguments based on measurements of the drawings are of little value (MPEP §2125). For the Examiner to consider the suction skirt flat enough to be substantially parallel to surface 102b, the Examiner appears to be relying on the drawing for a determination that the wavy skirt is substantially horizontal and therefore substantially parallel to the suction adherence surface 102b. Even if, for the sake of argument alone, Fig. 4 did show a

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wavy skirt that is substantially horizontal, it would be improper for the Examiner to rely on the proportions of the drawings for such a determination.

Therefore, claim 8 is allowable over Seto. Claims 13 and 15 depend from claim 8 and are therefore allowable at least because of their dependency.

Claim Rejections - 35 U.S.C. § 103(a)

Claim 10 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Seto. Claim 10 has been rewritten to include the subject matter of claim 11, which the Examiner has indicated as allowable. Therefore, claim 10 is now allowable. Claim 11 has been canceled without prejudice or disclaimer.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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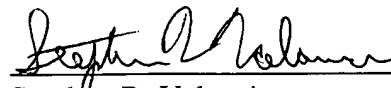
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